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July 14, 2022

VIA ECF AND REGULAR MAIL

Honorable Alvin K. Hellerstein, United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Hwang, et al.*
Docket No. 22-cr-240

Dear Judge Hellerstein:

This firm represents defendant Sung Kook (Bill) Hwang in the above-captioned matter. We write to respectfully request that Your Honor approve a change to Mr. Hwang's conditions of release, specifically the restriction limiting his domestic travel, as described below. Counsel for the government has graciously advised that neither they nor the United States Office of Pretrial Services objects to this change.

By way of background, on April 27, 2022, Mr. Hwang was arrested and released on pretrial supervision under the following conditions: a \$100,000,000 bail bond to be secured by Mr. Hwang's signature and that of two co-signatories (one of whom would be his wife) and \$5,000,000 in cash to be deposited with the court; the posting of two properties that would be forfeited should he violate the conditions of his release (one of which would be his primary residence at 26 Trafalgar Road, Tenafly, NJ); the surrender of Mr. Hwang's wife's passport (Mr. Hwang does not have one, having lost it, and a condition of his release is that he not take steps to obtain a new passport or any other travel document); the restriction limiting Mr. Hwang's travel to the Southern and Eastern Districts of New York, the District of Connecticut, and the District of New Jersey; and, as noted, supervision by the Office of Pretrial Services. All of these conditions were timely satisfied, and there is no dispute but that Mr. Hwang has fully complied with them.

This request seeks to modify the restriction on Mr. Hwang's domestic travel. Its purpose is primarily to facilitate his work on behalf of the foundation he and his wife established in 2006, the Grace & Mercy Foundation, for which Mr. Hwang works without compensation. The mission of the Grace & Mercy Foundation is to "support the poor and oppressed, and to help people learn, grow, and serve." See <https://graceandmercy.org>. It strives to fulfill this mission both through its own programming and through grant-making to other charitable organizations around the country. Currently, Grace & Mercy supports 72 grantees in 22 states and the District of Columbia, devoted to causes such as fighting human trafficking and homelessness, helping the working poor, promoting education, and supporting campus ministries, faith in work initiatives, and church

GIBBONS P.C.

Hon. Alvin K. Hellerstein, U.S.D.J.
July 14, 2022
Page 2

networks. In connection with this work, it is important for Mr. Hwang, especially in light of the charges in this and related matters, to be able to visit with grantees and to speak, and reassure them with regard to Grace & Mercy's ongoing work; it will also provide Mr. Hwang with the ability to better assess the performance of grantees or potential grantees, in furtherance of Grace & Mercy's charitable mission. Under the circumstances, then, it is truly essential that Mr. Hwang be able to readily travel to the locations of grantees throughout the continental United States without in each instance requesting permission from Pretrial Services and/or relief from the Court.

Accordingly, Mr. Hwang respectfully requests that the current condition of Mr. Hwang's release that restricts Mr. Hwang's travel to the Southern and Eastern Districts of New York, the District of Connecticut, and the District of New Jersey, be relaxed to restrict his travel to the contiguous, continental United States (*i.e.*, those states other than Alaska and Hawaii), upon three (3) days advance notice to, but without awaiting the approval of, the Office of Pretrial Services. Given the bail that he has been posted as well as the other conditions of his release and his perfect compliance therewith, as well as his ties to the area and his strong desire to fight the charges against him, he is, most respectfully, not a risk of flight in any regard. As noted, the United States, by Assistant United States Attorney Alex Rossmiller, has authorized me to represent that neither the U.S. Attorney's Office nor the Office of Pretrial Services, with whom Mr. Rossmiller spoke, objects to this change.

If this change is acceptable to the Court, Mr. Hwang respectfully requests that Your Honor "So-Order" this letter in the space provided below and direct its entry on the docket. Of course, if the Court has any questions or concerns, please do not hesitate to contact me. Thank you very much for your very kind consideration of this matter.

Respectfully yours,

s/Lawrence S. Lustberg
Lawrence S. Lustberg

SO ORDERED:

This ____ day of July, 2022

Honorable Alvin K. Hellerstein
United States District Judge

cc: All counsel of record (via email and ECF)
Francesca Tessier-Miller, United States Pretrial Services Agency (via email)